

BARRENJOEY BOATSHED

ACN 669 506 165
Governor Phillip Park,
1191 Barrenjoey Road,
Palm Beach
NSW 2108

PLAN OF MANAGEMENT

2 December 2024



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1. INTRODUCTION

The purpose of this Plan of Management (POM) is to clearly set out the operational aspects of the Barrenjoey Boathouse to ensure ongoing compliance with the licensing requirements of New South Wales Liquor and Gaming, any leases, licenses and development consents applicable to the operation and to ensure that the conduct of the café restaurant and any ancillary uses are carried out in accordance with the above legislative requirements and in a manner that does not impact on residential uses in the locality.

The Plan of Management has been prepared in accordance with the Liquor Plan of Management Guidance publication by NSW Liquor and Gaming also addresses management of the premises in terms of patron numbers, residents, patrons and staff security and the ongoing amenity of the surrounding locality.

2. SITE ADDRESS

Lot 298 DP 721522, 1191 Barrenjoey Road, PALM BEACH.

Lot 7005 DP 1117451, 1193 Barrenjoey Road, PALM BEACH,

Lot 7002 DP 1117592, 1193 Barrenjoey Road, PALM BEACH,

3. APPROVED LAND USES

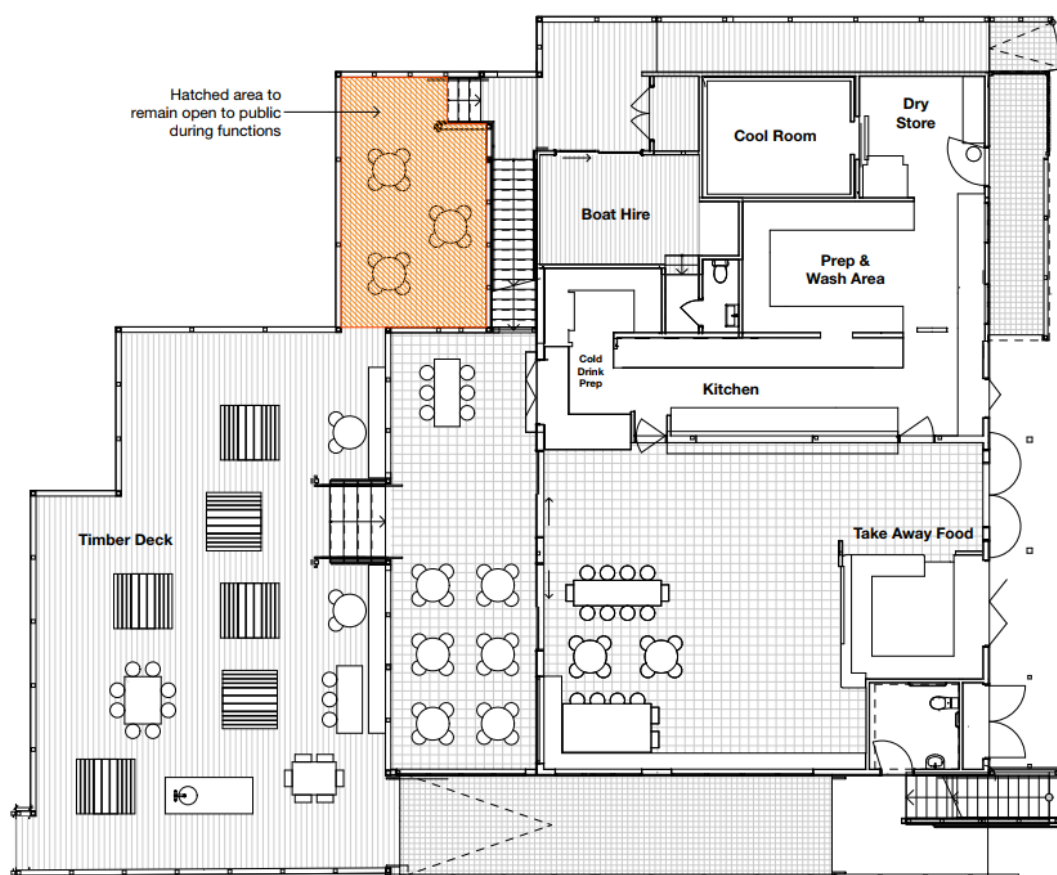
Development Consent DA2021/0669 (as modified) granted consent for *Demolition works and construction of a new restaurant, carparking and associated uses, including a Voluntary Planning Agreement.*

Functions such as weddings and the like are only able to be conducted

on site, subject to the functions being ancillary to the restaurant use, not an independent use and providing part of the ground floor deck area is open for restaurant use for 12 patrons at the same time as the ancillary function in accordance with the Development Consent, Condition 3, which states –

The premises are not to be used for functions unless ancillary to the approved restaurant use.

The ground floor deck area that must be open for restaurant use for 12 patrons at the same time as the ancillary function is hatched in the drawing below:



Note: Table configuration is illustrative only

4. APPROVED HOURS OF OPERATION

Monday:	07.00 am to 11.00 pm
Tuesday:	07.00 am to 11.00 pm
Wednesday:	07.00 am to 11.00 pm
Thursday:	07.00 am to 11.00 pm
Friday:	07.00 am to 11.00 pm
Saturday:	07.00 am to 11.00 pm
Sunday:	07.00 am to 11.00 pm
Public Holidays:	07.00 am to 11.00 pm

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

5. PATRON NUMBERS

The approved number of patrons under the development consent is 152 patrons. Patron numbers will be monitored and documented by the management and operational staff to ensure ongoing compliance with the relevant approvals.

The maximum number of patrons for an ancillary function is 140.

6. ANCILLARY FUNCTIONS

No more than Two (2) ancillary functions can be held in any Seven (7) day period

7. NOISE MANAGEMENT

7.1 Amplified Music

Music and any amplified equipment including microphones are to be restricted to the following conditions which are set out in the addendum report titled "Addendum Report, Section 4.55

Modification Application – Barrenjoey Boatshed, In-Situ

Measurements of Amplified Music", report number 6953-5.2L dated 14 November 2024 ("the Acoustic Addendum Report"):

- Amplified music will consist predominantly of either pre-recorded amplified music (DJ) or small live performances;
No more than 5 musicians can perform at any one time.
- DJ or small band (no drums) performance will be located on the outdoor covered deck, in the southern corner between the speakers shown on Figure 3 in the Acoustic Addendum Report (copy below).;
- Where a small band includes drums, it will be located in the south-western corner of the internal area of the Barrenjoey Boatshed between the speakers shown on Figure 6 in the Acoustic Addendum Report (copy below).;
- All amplified music is to be operated through an internal house system and an external house system that are each controlled by an RMS (Root Mean Square) noise limiter having separate rms limiters on each individual octave band from 31.5Hz to 8 kHz inclusive. No additional amplifiers/speakers are permitted on the premises. Musicians/DJ's are to use Direct Injection (DI) boxes to input the signal into the house system.
- The noise limiter attack time constant is not to exceed 0.5 seconds, release time constant not less than 1 second and a compression ratio of at least 20:1 is to be set by a qualified acoustical consultant.
- The limiter and all post-limiter equipment including power amplifiers is to be installed and locked so that access to the limiter controls is tamper proof and only accessible by a sound contractor.

- The limiter/s and sound amplification system must be maintained and not tampered with to ensure that unauthorised modifications are not made which are contrary to this addendum letter. Repairs and replacements may be made to the system as necessary with any like component but must not be capable of increasing the permitted noise amplification levels outlined in this addendum letter.
- No Additional sound amplification equipment is to be brought onsite
- The house system external speakers located in the southern corner of the outdoor covered deck area are to be orientated to project sound towards the north-north-west and away from Great Mackerel Beach and residential areas to the south, as shown in Figures 3 below.
- For the house system external speakers, the maximum output is limited to an L₁₀ noise level of 100 dBA at 5 metres and an octave band L₁₀ spectrum shown in Table 1 below:

Table 1 External Speaker Output Octave Band L₁₀ Spectrum Limit

Description	Sound Pressure Levels (dBZ) at Octave Band Centre Frequencies (Hz)									
	dB A	31.5	63	125	250	500	1k	2k	4k	8k
External Speaker Noise Limit @ 1 metre	100	65	83	105	102	97	92	90	89	81

- The house system internal speakers are to be located in the south-western side of the internal area of the Barrenjoey Boatshed and orientated towards the centre of the room, as shown in Figure 6 below.
- For the house system internal speakers, the maximum output is limited to a reverberant L₁₀ noise level of 102 dBA at 3.5 metres as shown by the purple star in Figure 6 in the Acoustic Addendum Report (copy below).
- and an octave band L₁₀ spectrum shown in Table 2 below:

Table 2 Internal Speaker Output Octave Band L₁₀ Spectrum Limit

Description	Sound Pressure Levels (dBZ) at Octave Band Centre Frequencies (Hz)									
	dB	31.5	63	125	250	500	1k	2k	4k	8k
	A									
Internal Speaker										
Noise Limit (Reverberant)	102	62	90	104	103	98	96	90	90	86

- There should be no amplified music at the *Barrenjoey Boatshed* between 11 pm and 7 am on any given day;
- All external operable windows on the southern side of the *Barrenjoey Boatshed* shown coloured green on Figure 6 in the Acoustic Addendum Report (copy below) will be closed when pre-recorded amplified music is played or a small live performance takes place
- The external operable door on the south-western side of the *Barrenjoey Boatshed* shown coloured green on Figure 6 in the Acoustic Addendum Report (copy below) will be closed when pre-recorded amplified music is played or a small live performance takes place
- The external operable door on the north-western side of the *Barrenjoey Boatshed* shown coloured red on Figure 6 below will be open when pre-recorded amplified music is played or a small live performance takes place;
- Patrons should be encouraged not to make an unreasonable level of noise when leaving the *Barrenjoey Boatshed*;
- Management should ensure patrons attending ancillary functions park their vehicles in parking Zones 1, 2 and 3 only.

7.2 Noise Limiters

(a) The house external system is to be fitted with an octave band rms noise limiter so that the maximum output is limited to an L₁₀ noise level of 100 dBA at 5 metres and an octave band L₁₀ spectrum identified in Table 5 the Acoustic Addendum Report.

(b) The house internal system is to be fitted with an octave band

rms noise limiter so that the maximum output is limited to a reverberant L10 noise level of 102 dBA at 3.5 metres as shown by the purple star in Figure 6 in the Acoustic Addendum Report (copy below) and an octave band L10 spectrum identified in Table 11 of the Acoustic Addendum Report.

(c) The noise limiter attack time constant in the overall dBA level and in each octave band is not to exceed 0.5 seconds, release time constant not less than 1 second and a compression ratio of at least 20:1 is to be set by an accredited acoustical engineer to ensure compliance with this plan of management

(d) The limiter and all post-limiter equipment including power amplifiers is to be installed and locked so that access to the limiter controls is tamper proof and only accessible by the sound contractor.

(e) Upon installation of the limiter a compliance test is to be undertaken to verify compliance with the maximum outputs set out in Clause 6.2 (a) and 6.2(b) above. Following such testing, a compliance report from an accredited acoustical engineer shall identify the limiter control settings, photographic material and documentation as to the system components and speakers in the compliance report including location and orientation of speakers on a layout drawing ('the Compliance Report').

7.3 Noise – Amplified Sound and upkeep and operation of Limiter/s

Following receipt of the Compliance Report, the Compliance Report is to be kept on the premises at all times, signed and dated by the licensee and business owner. From this point forward the licensee and business owner must ensure the following:

- (a) The limiter/s and sound amplification system must be maintained and not tampered with. That unauthorised modifications are not made which are contrary to the Compliance Report. Repairs and replacements may be made to the system as necessary with any like component but must not be capable of increasing the permitted noise amplification levels contained in the Compliance Report.
- (b) That additional sound amplification equipment must not be brought onsite.

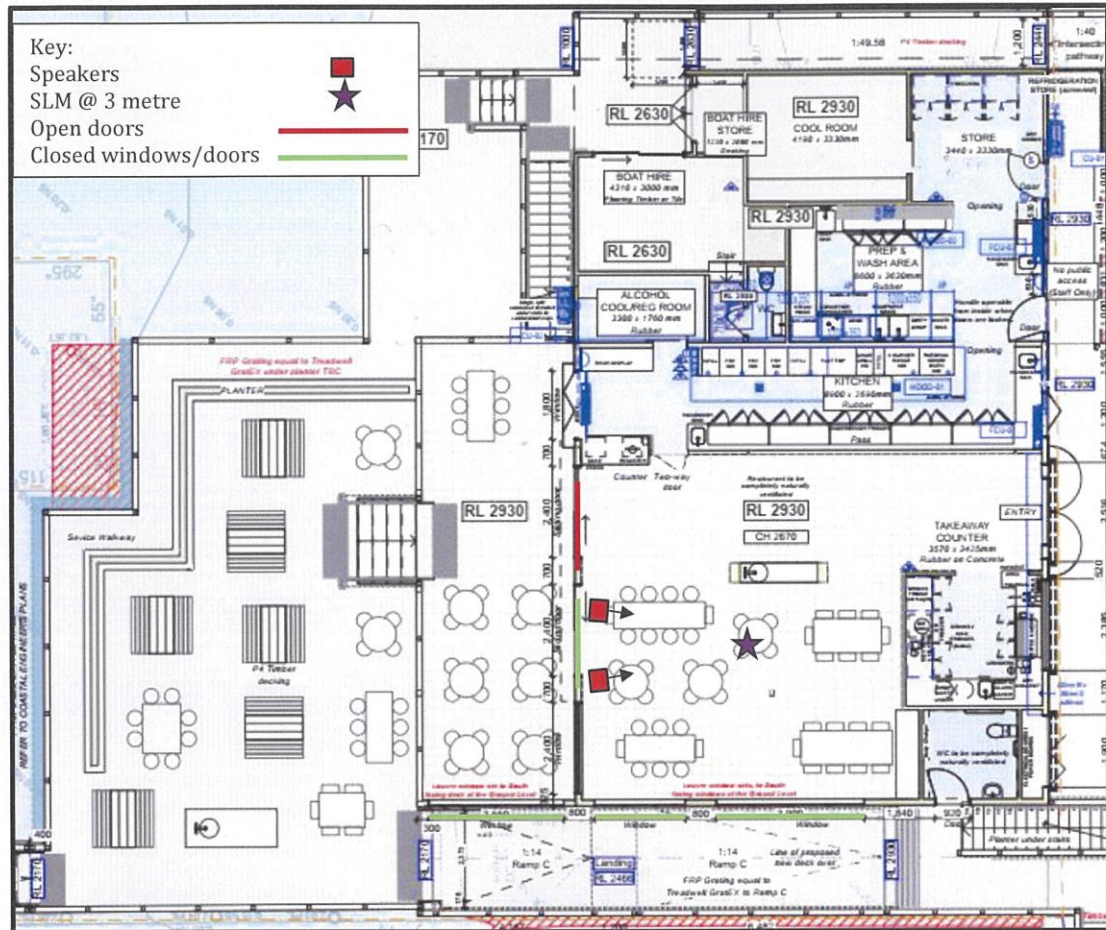


Figure 6. In-Situ Measurements - Scenario 4

8. WASTE MANAGEMENT

The following waste materials will be stored on site awaiting collection.

- Recyclable Material (GLASS)
- Recyclable Material (GENERAL)
- General Waste

The operators will continue to recycle as many types of waste materials as possible in accordance with the approved Waste Management Plan for the venue.

Waste collection will be carried out by a registered waste collection company for disposal or recycling at suitable licensed premises.

Patrons will be directed to not remove any waste including cans, bottles or alcohol from the premises.

Waste containers will be placed out for collection no sooner than 30 minutes prior to collection by the licensed contractor.

Waste collection will only occur during daylight hours of operation of the premises to minimise any acoustic disturbance.

The subject site and nearby locality will be regularly patrolled to collect any litter on or adjacent to the subject site.

9. COMPLAINT MANAGEMENT

Any complaints made by patrons, visitors or surrounding residents will be diarised within an "Incident Register" and referred to management to enable prompt resolution of complaints to be addressed and resolved.

In the event a complaint is received from a neighbor, a member of the general public or a patron of the venue relating to noise issues, the Manager on duty at the time the complaint is made is to handle the matter.

The complaint is to be handled appropriately and professionally regardless of its nature (i.e. trivial complaints).

Any complaint received in relation to noise is to be entered into the Register immediately upon receipt noting the complaint, the issues raised, and the actions taken as a result of the complaint.

10. STAFF TRAINING

To ensure full compliance with the provisions of the relevant Liquor and Gaming legislation, the licensee will ensure that the Responsible Service of Alcohol (RSA) provisions are adhered to with all staff involved with the sale/supply of liquor to be over the age of 18 and RSA trained. An appropriate RSA training register will also be maintained as required by legislation. Staff will also be subject to an appropriate staff induction program upon commencement.

Staff Training Subjects

- How to identify and refuse service to intoxicated persons.
- Checking patron identification.
- Customer service.
- First aid availability.
- Emergency evacuation procedures.
- Location and type of fire extinguishing apparatus on site.
- Identification of what constitutes disorderly behavior.
- Responsible Service of Alcohol practices.
- A basic level of understanding of the Act.
- Dress code for premises.

11. MANAGEMENT OF PUBLIC AREA

The external area directly adjacent to the eastern face of Barrenjoey Boatshed is to be available for public access at all times (with suitable signage) however takeaway food and drinks are able to be consumed within this area.

12. EMERGENCY MANAGEMENT

As the location of the premises is prone to significant weather events and potential bushfire attack, the operator is required to monitor reports from the Bureau of Meteorology, State Emergency Services (SES), New South Wales Police, Rural Fire Service and Fire and Rescue New South Wales. Management is required to implement suitable emergency procedures in response to any emergency events reported by the above authorities or other reliable sources.

13. MANAGING INTOXICATION

The following procedures are required to be implemented when intoxicated patrons are identified.

- If staff are of the belief a patron is intoxicated, the manager is to be immediately advised to enable the manager to remedy the situation. Should the manager be unavailable at that moment, the staff member is to politely advise the patron that they believe the patron is intoxicated.
- Options can be given to the patron including non-alcoholic drinks, dining or that they leave the premises and not return until sober.

If a patron has been refused service or refused entry, the manager or staff member must direct the patron:

- leave the premises and vicinity immediately and stay at least 50 metres away

- not re-enter or remain in the vicinity for 6 hours
- not re-enter the premises for 24 hours.

Should the direction not be accepted by the patron or if the patron becomes abusive or violent, the manager/staff member should be further engaged to evict the patron and consider contacting police.

14. RECORD KEEPING

A 'Liquor Folder' will be maintained and held within the venue. Staff are required to have an understanding of the location of this 'Liquor Folder' and will be responsible for maintaining its location. Under no circumstances are staff members to relocate the folder, unless under the direction of the licensee.

The folder will contain the following:

- A copy of the current Liquor Licence
- This Plan of Management
- Details of the venue and the licensee
- Contact details for relevant people and organisations
- Emergency contact details
- RSA Register in an approved format
- A register of minors employed on the licensed premises
- Incident Register
- Complaints Register

All staff will be required to provide written acknowledgement of this Plan of Management, with those signatures also being kept in the

Liquor Folder.

The 'Liquor Folder' is to be made available to any Authorised Officer(s) when a liquor inspection is carried out.

15. MANAGING MINORS

Under the provisions of relevant legislation, minors are not permitted within the licensed premises unaccompanied..

The relevant legislation states that no person under the age of 18 years is permitted on licensed premises unless they are accompanied by a parent, spouse, guardian or a responsible adult. This restriction require staff members to follow the procedure set out below if an unaccompanied minor is detected within the licensed area during operating hours:

- Politely ask the minor if they are in attendance with a responsible adult.
- Should the request be answered "no", the staff member is to request that the unaccompanied minor leave the licensed area by explaining the relevant restrictions imposed upon the licensed premises.
- If the minor refuses to leave, a manager is to be called. If a manager, or other responsible person is not available, the staff member is to request police assistance.
- The incident, along with all relevant details, are to be noted within the 'Incident Register' held in the liquor folder.

16. TRANSPORT OPTIONS

Transport options are limited to a public bus service available at the road frontage of the Park, taxi and rideshare services.

17. LIQUOR LICENCE MANAGEMENT

The subject premises currently operate under the terms of a licence issued by New South Wales Liquor and Gaming. The licence requires that liquor may only be consumed on the premises whilst dining.

18. RESPONSIBLE SERVICE OF ALCOHOL

The operation of the premises endorses the RSA obligations to:

- *minimise the harms associated with alcohol abuse and alcohol-related problems*
- *encourage responsible attitudes towards the sale and consumption of alcohol*
- *ensure the sale and consumption of alcohol contributes to, and does not detract from, the amenity of community life*

19. RESPONSIBLE SERVICE OF ALCOHOL TRAINING

All relevant staff at the venue will undertake training under the *National Provide Responsible Service of Alcohol (RSA - SITHFAB021)* along with the *NSW Responsible Service of Alcohol (RSA)* training. A RSA Training Register will be held within a 'Liquor Folder' housed within the venue.

All staff will be made aware of the venue's policies on responsible service and if required, completed an accredited RSA course prior to beginning work. Those staff that have not completed an accredited RSA course prior to beginning work must complete such a course within twenty-eight days of beginning work. All staff involved in the sale, supply or offer of supply of liquor must be aware of the physical signs of drunkenness.

Food is to be available on the premises at all times the venue is open and free drinking water is to be available to all patrons. If a patron is found to be nearing intoxication on the premises the patron is to be cautioned by way of suggestion that they drink non-alcoholic drinks, which may be provided free of charge at the discretion of the licensee or manager. All other staff on duty are to be made aware of the patron by the manager.

20. DISORDERLY CONDUCT

Offenders will be given one warning in the case of disorderly behavior and if the warning is ignored the offenders will be ejected from the premises. Extreme disorderly behavior shall attract automatic ejection without warning.

21. PATRON MANAGEMENT

Staff Responsibilities

Staff are responsible for the security and behavior of patrons both outside and inside the premises as follows-

- All patrons entering the premises shall be checked for

identification (unless obviously adults, e.g.: older patrons that look 25 years +). Patrons who do not provide adequate identification will not be allowed entry.

- Patrons are to be always treated courteously and politely.
- Disorderly behavior is not to be tolerated, and minor indiscretions are to be dealt with by one warning. Any fighting or obvious drunkenness is to be dealt with by way of ejection from the premises.
- Staff shall remind patrons on leaving the premises to *"Please be mindful of noise as you depart the venue"* as a common courtesy to residents and that their continued cooperation in this matter is appreciated.
- Following closure, staff are to search the premises and surrounds for trespassers and then proceed to secure the premises as per instructions.
- Staff shall maintain observations of the immediate area surrounding the venue and ensure incidents of littering are kept to an absolute minimum.

Due to local issues the police are to be called immediately if a fight or incident needs their attention and the time called and the response time is to be entered in the Incident Report Book.

22. SAFETY MANAGEMENT

Staff and patron safety and security will be discussed with each staff member upon induction. Issues of note will also be discussed at regular staff meetings

Staff require a safe working environment within the venue, and patrons require a risk free dining experience. The manager, or other responsible person, will undertake a regular check of the premises covering the general safety of the area including, but not limited to;

- Floors (tripping hazards, broken tiles etc.)
- Shelving, displays, racking and other furniture and fixtures.
- Alarms and other safety equipment.
- Stock loads and other manual handling procedures.

All staff are required to report any safety and/or security issues noted during their shift via the 'incident register' located within the premises.

Staff will also be advised of the existing policies in place including-

- Opening and closing procedures
- Cash handling (cashing up, change top ups etc.)
- Shift change over
- Accepting deliveries
- Any other relevant procedures

23. SERVICE AND DELIVERY VEHICLES

Any vehicles attending the subject site for delivery or collection purposes

will only be able to access the subject site during daylight hours to minimise disturbance to the locality or patrons dining experiences.

24. FOOD STANDARDS

The operation of the premises will at all times ensure compliance with the following provisions of the Food Standards Code-

3.1.1 Interpretation and application

3.2.1 Food safety programs

3.2.2 Food safety practices and general requirements

3.2.2A Food safety management tools

3.2.3 Food premises and equipment

Ongoing compliance with the above Code will be undertaken by management ensuring that relevant staff members have attended and completed a New South Wales Food Authority Food Safety Supervisor program.

25. SIGNAGE AND LIGHTING

Signage on and around the subject premises will be installed and maintained in accordance with the provisions of the relevant development consent and NSW Liquor and Gaming.

Signage will also be provided to assist patrons and visitors to distinguish between areas available for their use and restricted areas available for staff of the café/restaurant only.

The subject site lighting is bound by the provisions of the Dark Sky legislation as reflected in the development consent and approved

documentation relating to site lighting.

26. SECURITY

It is not anticipated that security staff will be required for the ongoing operations as the subject site and surrounds already contain CCTV devices. However, this option is available should any security issues be identified.